

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27942 of 2015**

Arising Out of PS.Case No. -1126 Year- 2013 Thana -AURANGABAD COMPLAINT CASE  
District- AURANGABAD

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Ram Kumar Singh Son of Sri Ram Govind singh Resident of Village Mokhtarpur, post Office, Ramnagar, Police Station - Obra now Khudwan, District Aurangabad.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Sri Ram Krishna Singh son of Sri bachchu Narayan Singh resident of Village- Ramvilasnagar Bharthauli, post office Ramvilas Nagar, Police Station - Aurangabad , District Aurnagabad., Present Address; Mohalla-Balock Colony Satyendra Nagar ward no 6, Police Station Town, District Aurangabad.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Ms. Indu Kri.Srivastava(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

3      12-10-2015                      Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 1126/2013, registered for the offences punishable under Sections 420, 406 of the Indian Penal Code and Section 138 of the N.I. Act.

The complainant alleged that the petitioner had taken loan of Rs. 12,93,400/-. The petitioner handed over a cheque of Rs. 12,93,400/-. The cheque was presented to the Bank but the Bank returned the cheque stating that there is deficiency of the amount in the account and the signature of the drawer did not tally.

Learned counsel for the petitioner submits that the petitioner had entered into an agreement with the father of the

complainant for the execution of sale-deed. The sale-deed was executed and entire payment was made. The petitioner never took any loan from the complainant, even the date of borrowing money has not been mentioned in the complaint petition.

On the other hand, learned counsel for the complainant vehemently opposed the prayer for anticipatory bail.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Surendra Kumar Mishra, Judicial Magistrate 1<sup>st</sup> Class, Aurangabad in connection with Complaint Case No. 1126/2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Prabhat Kumar Jha, J.)**

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